

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

v.

GEORGE GILMORE,

Defendant.

Cr. No. 19-29

MEMORANDUM ORDER

THOMPSON, U.S.D.J.

This matter comes before the Court upon the request by the United States of America (the “Government”) for an inquiry into potential conflicts of interest arising from the representation by Attorney Kevin H. Marino of Defendant and six potential witnesses affiliated with Defendant’s law firm (the “Witnesses”). (ECF No. 11.) On March 8, 2019, the Court held a hearing for the parties to present all evidence and materials to resolve the inquiry into potential conflicts of interest. (ECF Nos. 14, 20.) Counsel for the Government, Matthew J. Skahill, counsel for Defendant, Kevin H. Marino, and counsel for the Witnesses, Mariellen Dugan, all actively participated.

Upon reviewing the evidence, the Court is satisfied that if a conflict were to exist, Defendant and the Witnesses sufficiently waived such conflict. During the hearing, the Court heard testimony from Defendant that he signed a conflict waiver before Mr. Marino commenced representation, that he has had and still has confidence in Mr. Marino’s representation, and that he wishes for Mr. Marino to continue representing him. The Court also heard testimony from the Witnesses, who all are now represented by Mariellen Dugan and who all testified that they understand and accept any risks inherent in this potential conflict of interest. The Court

understands that Defendant and the Witnesses are all signing additional conflict waivers. For these reasons,

IT IS on this 14th day of March, 2019,

ORDERED that it is not necessary to disqualify counsel for Defendant, Kevin H. Marino.

/s/ Anne E. Thompson
ANNE E. THOMPSON, U.S.D.J.